

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,
Plaintiff,

v.

SEVDA INC.,
Defendant.

Case No. 21-cv-04703-JSC

**ORDER TO SHOW CAUSE TO
DEFENDANT AS TO WHY DEFAULT
SHOULD NOT BE ENTERED**

On June 6, 2022, the Court ordered Defendant to show cause as to why it should not be sanctioned for its failure to appear at the scheduled General Order 56 settlement conferences. (Dkt. No. 28.) Defendant submitted a response attesting that it was unaware of any scheduled mediations. (Dkt. No. 28.) In light of Defendant's representations under oath, the Court ordered the parties to meet and confer regarding a new date for the GO 56 settlement conference and file a joint statement by June 23, 2022. (Dkt. No. 30.) Defendant was warned that failure to comply with the Court's Order could result in sanctions. On June 23, Plaintiff filed a separate statement indicating that while Defendant responded to counsel's initial scheduling inquiry, Defendant did not respond to subsequent attempts to confirm the date for the settlement conference. (Dkt. No. 31 at ¶¶ 2-4.) Defendant also did not respond to Plaintiff's request for approval to file a joint statement. (Id. at ¶¶ 5-6.) The Court therefore ordered Defendant and its counsel to appear and show cause on June 30, 2022 as to why it should not be sanctioned to failure to comply with the Court's ordered. (Dkt. No. 32.) Neither Defendant nor its counsel appeared at the show cause hearing.

Accordingly, Defendant and its counsel are ORDERED TO APPEAR AND SHOW CAUSE on July 14, 2022 at 1:30 p.m. via Zoom as to why the Court should not enter Defendant's

1 default based on its failure to comply with the Court's order to meet and confer with Plaintiff's
2 counsel and order to appear and show cause on June 30, 2022. *See Dreith v. Nu Image, Inc.*, 648
3 F.3d 779, 786 (9th Cir. 2011) ("Under Federal Rule of Civil Procedure 37(b), a district court may
4 impose sanctions, including default, for failing to comply with a court order.").

5 Defense counsel is ORDERED to serve a copy of this Order on Defendant and file a
6 declaration under penalty of perjury describing the method of service by July 7, 2022.

7 Failure to comply with this Order may result in entry of Defendant's default without further
8 warning.

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10 **IT IS SO ORDERED.**

11 Dated: June 30, 2022

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14 JACQUELINE SCOTT CORLEY
15 United States District Judge
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